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23 APR 1962

MEMORANDUM FOR: Legislative Counsel

SUBJECT : H.R. 10687, "To provide for the payment of certain amounts and restoration of employment benefits to certain Federal officers and employees improperly deprived thereof, and for other purposes"

1. We have reviewed H.R. 10687 and believe that the Agency should request an exemption from it if given an opportunity to do so.

2. We believe that there is already satisfactory provision to restore the pay of individuals who might be wrongfully separated or suspended and do not consider the proposed bill necessary to protect the interests of employees. On the other hand, it seems to us that the bill invites claims for back pay and that individuals might be encouraged to file under it when there is no reasonable basis for them to do so. Further, in view of the very broad terms of Section 102(c) of the National Security Act of 1947, as amended, it seems desirable to avoid placing any kind of restriction on terminations effected thereunder. This would not be a direct result of enactment of this proposal, but claims which might be encouraged by it could bring about additional court cases without benefit to the employee or to the Agency.

/s/ Emmett D. Echols  
Emmett D. Echols  
Director of Personnel

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